

## **DRAFT - Policy Directive 14-##**

### **Request for Exemption from High Dollar Service Contract IDAPA Requirements**

It is the policy of the Division of Purchasing to require additional monitoring and oversight for high dollar service contracts, as defined in IDAPA 38.05.01.011.13; however, the Division recognizes that it may be appropriate to allow an exemption from some or all of the requirements applicable to high dollar service contracts (contained in IDAPA 38.05.01.041 and IDAPA 38.05.01.125.03), on an individual solicitation or contract basis, when an agency demonstrates that it has the experience, resources and qualified individuals in place to satisfy the project planning, solicitation, monitoring, oversight and other requirements outlined in IDAPA.

#### **Request Process:**

The request for a partial or full exemption from the requirements of IDAPA 38.05.01.041 and IDAPA 38.05.01.125.03 must be submitted to the Administrator in writing, on the current Division of Purchasing exemption request form prior to contract solicitation.

The Administrator may grant an exemption in whole or in part; and/or may include alternative conditions, as the Administrator determines to be in the best interest of the State.

If granted, the exemption will have no effect on any other provisions of IDAPA or any policy of the Division of Purchasing, which may apply to the solicitation or resulting contract, unless specifically addressed in the grant of exemption.

#### **Record Keeping:**

The agency receiving an exemption will be required to:

- 1 Maintain records documenting the name, contact information and resumes of the Project/Program Manager and third party validation or subject matters expert engaged to monitor and report throughout the life of the contract; in addition to documenting the roles and contract-related activities of each one (e.g. including the exemption grant, project administration agreement with DOP, internal project reviews, third party validation reports, etc.)
- 2 Make these records available to the Division of Purchasing, upon request, in order to demonstrate compliance with the exemption approval.

#### **Revocation of Exemption:**

Failure to demonstrate compliance with the exemption approval, to the satisfaction of the Administrator, may result in revocation (in whole or in part) of the exemption, and/or the imposition of additional conditions, as the Administrator determines to be in the best interest of the State.

**Reconsideration of exemption revocation:**

If the exemption is revoked by the Administrator in whole or in part, the Administrator will submit an explanation concerning the revocation. The agency may submit additional supporting documentation regarding the exemption request, for reconsideration by the Administrator. If the request for reconsideration is denied by the Administrator, the agency may request an exemption from the Director of the Department of Administration. The decision of the Director of the Department of Administration will be the final decision for consideration of the exemption request.

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